

By statute certain special categories of sensitive information-- Restricted Data (42 U.S.C.A. 2162), Communication Intelligence (18 U.S.C.A. 798), and Intelligence Sources and Methods (50 U.S.C.A. 403(d)(3) and g) must be given special protection from unauthorized disclosure. These categories of information have been exempted from public inspection under Section 552(b)(3), "specifically exempted from disclosure by statute," and (b)(1), "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy." The Committee believes that these categories of information will be adequately protected under S. 2543. If such information is ever subject to court review, the review will be conducted in camera under the procedures established in the bill for information exempt under Section 552(b)(1). It is also expected that in such cases the court will recognize that such information is inherently sensitive and that the latitude for discretion permitted under Executive Order 11652 does not apply to such information.

which has been amended to include matters specifically required to be kept secret by an Executive Order or statute."



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Attached is the legislative history language which we worked out with Doug Marvin. It does satisfy our concerns. We understand that Marvin will discuss with Susman for inclusion in the report.



Assistant Legislative Counsel

14 May 1974

STATINTL

FORM 6-68 1533 OBSOLETE PREVIOUS EDITIONS

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